



ANNUAL SPRING TOWN MEETING WARRANT

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet in the Auditorium of the **Walpole High School** in said Walpole on the

**FIRST MONDAY IN MAY, IT BEING THE
FIFTH DAY OF SAID MONTH, 2008**

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws to said Town and act on the on the following articles

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Board of Selectmen)

ARTICLE 2: To see if the Town will vote to approve the amendments to the Personnel By-laws as found on file in the Office of the Town Clerk, or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 3: To see if the Town will vote to approve the new salary schedule as recommended by the Personnel Board as found on file in the office of the Town Clerk, or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 4: To see if the Town will vote to raise and appropriate and/or transfer a sum or sums of money to defray certain salary increases for non-union personnel recommended by the Personnel Board in the salary schedule or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 5: To see if the Town will vote to borrow and/or transfer from available funds, a supplemental sum or sums of money to the various operating budgets for Fiscal Year 2008 (July 1, 2007 to June 30 2008) and to see what budgets for Fiscal year 2008 will be reduced to offset said appropriations or reduced due to reductions in local aid, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 6: To see if the Town will vote to fix the salary and compensation for elected officials of the Town as provided for by the General Laws, Chapter 41, section 108, for their services for the fiscal year commencing July 1, 2008 and to see what sum or sums of money the Town will raise and appropriate or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2008 not otherwise provided for, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 7: To see if the Town will appropriate \$15,000 from the Capital Reserve Stabilization Fund for the purpose of offsetting the debt service cost of the General Fund Budget and to transfer said sum for the purpose stated, or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Water Service Enterprise fund to operate the Town of Walpole Water Service Department or to take any other action relative thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Sewer Enterprise fund to operate the Town of Walpole Sewer Department or to take any other action relative thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 10: To see if the Town will vote to appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the stabilization fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws as amended, or take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 11: To see if the Town will vote to raise and appropriate, and/or transfer such sum or sums of money as may be required for payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Walpole, or to take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 12: To see if the Town will vote to appropriate by transfer a sum of money to offset the financial impact of the snow and ice deficit on the current year tax levy, or to take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities, parking lots, fields and other properties, of the Town of Walpole or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 14: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money as may be required for the purchase of capital equipment, including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 15: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money to resurface, repair and /or reconstruct certain streets and/or sidewalks, to make drainage improvements in certain Town roads, and to rebuild certain manholes and catch basins in the Town or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 16: To see if the town will vote to appropriate a sum of money for capital improvements and upgrades to various municipal buildings, including equipment and any costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 17: To see if the Town will vote to appropriate a sum of money for the improvements to various streets within the Town, consisting of the construction, reconstruction or resurfacing of public ways or the extension or widening thereof, including land damages and the cost of concrete, macadam or other pavement or road material of similar lasting character and sidewalks constructed or reconstructed in connection with such improvements; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 18 : To see if the Town will vote to raise and appropriate, borrow a sum or sums of money as may be required for the lease of equipment for the various departments of the Town of Walpole, or to take any action relative thereto. (Petition or the Board of Selectmen)

ARTICLE 19: To see if the Town will vote to accept awarded grants from State, Federal, private, and/or non-profit Agencies and to expend said funds without further appropriation and to raise and appropriate, borrow, and/or transfer a sum of money for required matches to such grants or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 20: To see if the Town will vote to authorize the use of the following revolving funds pursuant o G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2008 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits, respectively:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND	SPENDING LIMIT	RESTRICTIONS /COMMENTS
Early Childhood Education	Tuition Payments	School Committee	Expenses & Salaries for Early Childhood Program	\$79,000	None
Library Services	Receipts from copiers, the computer center, lost materials and instructional classes	Library Trustees	Support of copiers, computer center services and instructional classes	\$35,000	None
Senior Citizen Health Services	Medicare reimbursement of flu and pneumonococcal vaccines	Council On Aging	Senior Citizen Health Related Expenses	\$20,000	None
Compost Bins	Sale of Bins	Board of Health	Purchase of Compost Bins	\$10,000	None
Recreation	Receipts from recreational programs	Recreation Committee	Recreational Programs & Services, including salaries & expenses.	\$448,000	None
Fire Alarm Maintenance	Fire Alarm Master Box Charges	Fire Department	Maintenance of Town Fire Alarm System, including salaries & expenses.	\$20,000	None
Engineering Services & Inspections	Inspection Fees	Planning Board	Inspections Of roadways, drains, utilities, & related construction of site plans, subdivisions & roads, including	\$100,000	None

			salaries & expenses.		
Turco Field Maintenance Fund	User Fees	Public Works & Recreation	Field maintenance, repairs, equipment and supplies including salaries and expenses	\$50,000	None

or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 21: To see if the Town will vote to renumber and accept revisions to the 1973 Town of Walpole General Bylaws of the Town by: a) assigning a chapter number to each of the General Bylaws; b) renumbering each section of each bylaw accordingly; c) inserting chapter, article and section titles; and d) updating internal references to reflect the new numbering system, all as set forth in the document on file in the office of the town Clerk entitled “Town of Walpole Massachusetts General Code Draft” dated October 2007 February/March 2008, prepared by General Code, LLC. Or take any other action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 22: To see if the Town will vote to enact the following global changes to the text of the 1973 General Bylaws of the Town of Walpole, all as set forth in the document on file in the office of the town Clerk entitled “Town of Walpole Massachusetts General Code Draft” dated October 2007 February/March 2008 prepared by General code, LLC:

1. To cite statutory references to the Massachusetts General Laws in a consistent manner, to read in the form MGL c___§____, by revising former citations that previously took any of the following or similar forms:
 - “Massachusetts General Laws, Chapter 40, Section 21”
 - “sections seventy (70) and seventy-one (71) of Chapter one hundred sixty six (166) of the General Laws”
 - “M.G.L.” (abbreviated but with periods)
 - “M.G.L.c.40s.21”
 - “MGLA” or “M.G.L.A.”
2. To consistently capitalize the word “Town” when it refers to the Town of Walpole.
3. To consistently capitalize the terms “Annual Town Meeting: and “Special Town Meeting” and the term “Warrant” when referring to the Warrant for a Town Meeting.
4. To consistently spell the word “noncriminal” without a hyphen.
5. To consistently spell and capitalize the word “bylaw,” as follows: Where “by-law” is hyphenated or two words, to standardize the spelling as “bylaw”; and to lowercase capitalized references to “this Bylaw” which are not proper nouns (however, references to “Bylaw” in titles of laws or other proper nouns shall remain capitalized):
6. To cite numbers in the text of the bylaws in a consistent manner, so that: a) numerals one through nine are spelled out as words, and numerals 10 and higher are cited in number form only; and b) so that all monetary amounts, fractions, decimals and percentages are cited in numeric form only. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 23: To see if the Town will vote in accordance with the provisions of Chapter 126 of the Acts of 1988, amending Section 4 of Chapter 73 of the Acts of 1986; for those who qualified under Chapter 59, Section 5; additional real estate tax exemption of 50% of exemptions for which said taxpayer qualify under the provisions as set forth therein for FY2009. or take any other action relative thereto. (Petition of the Board of Assessors)

ARTICLE 24: To see if the Town will vote to transfer from the General Fund, for student parking fees, a sum of \$40,000 for the FY09 School Budget or take any action in relation thereto. (Petition of the School Committee)

ARTICLE 25: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and

Municipal Employees, AFL-CIO, State Council 93, Local 1957 Department of Public Works Employees and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2008 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 26: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Town Hall Clerical Union and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2008 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 27: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Massachusetts Coalition of Police (IUPA, AFLCIO) Local 115 Walpole and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2008 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 28: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Walpole Permanent Firefighters Association and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2008 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 29: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Library Employees and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2008 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 30: To see if the town will vote to establish an Economic Development and Industrial Corporation (EDIC) as a public purpose authority under MGL 121C. The purpose of the EDIC is to prepare and implement an economic development plan for the approximately 27 acres Superfund Site on South Street (Map 33; parcels 120, 121, 123, 126, 127, 128, 129, 130, 137, 172, 173 and 174 and Map 41; parcel 53.) or take any action in relation thereto. (Petition of the Economic Development Committee.)

ARTICLE 31: To see if the town will vote to establish an Economic Development and Industrial Corporation (EDIC) as a public purpose authority under MGL 121C. The purpose of the EDIC is to prepare and implement an economic development plan for the approximately 74 acres on 1801 Main Street (Route 1A) and adjacent properties (Map 45; parcels 48, 49, 59, 60, 61 and Map 46; parcels 67, 69, 70, 71, and 72.) or take any action in relation thereto. (Petition of the Economic Development Committee.)

ARTICLE 32: To see if the town will vote to accept an Economic Development Plan for the development of the Superfund Site on South Street. The plan will include the following elements:

- 1 Determination of specific real estate parcels and current ownership;
2. Assessment of potential contamination and impacts on town aquifer;
3. Determination of any on-going or contemplated uses of properties;
4. Determination of public interests and desired benefits of development options;
5. Development of acquisition strategies, including relocation assistance for existing businesses;
6. Establishment of design guidelines and siting standards;
7. Development of financing strategies for acquisition and site remediation;
8. Development of strategies to obtain desired re-uses; and
9. Development of public processes to ensure ongoing involvement of town residents. Or take any action in relation thereto. (Petition of the Economic Development Committee.)

ARTICLE 33: To see if the town will vote to accept an Economic Development Plan for the development of 1801 Main Street (Route 1A) and adjacent properties. The plan will include the following elements:

1. Determination of specific real estate parcels and current ownership;
2. Assessment of potential contamination and impacts on town aquifer;
3. Determination of any on-going or contemplated uses of properties;
4. Determination of public interests and desired benefits of development options;
5. Development of acquisition strategies, including relocation assistance for existing businesses;
6. Establishment of design guidelines and siting standards;
7. Development of financing strategies for acquisition and site remediation;
8. Development of strategies to obtain desired re-uses; and
9. Development of public processes to ensure ongoing involvement of town residents. Or take any action in relation thereto. (Petition of the Economic Development Committee.)

ARTICLE 34: To see if the Town will vote to petition the General Court to the end that special legislation be adopted authorizing the organization of an Economic Development and Industrial Corporation (EDIC) in the Town of Walpole, including but not limited to, a provision that such commission would have authority to receive assignments from the Town of Walpole of the tax title on certain properties within the Town, to foreclose on such properties or to accept the transfer or assignment of properties upon which tax foreclosure has occurred and to enjoy the benefits of any exemptions available to the Town or EDIC's under such circumstances with respect to potential liability for contamination of any such properties pursuant to Mass. G.L. c. 21E, for projects approved by Town Meeting, Or take any other action relative thereto.(Petition of the Economic Development Committee)

ARTICLE 35: To see if the Town will vote to accept Beethoven Avenue from its beginning at STA 0+68.22 to its terminus at STA 40+66.36 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 1060.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 36: To see if the Town will vote to accept Mozart Drive from its beginning at STA 0+23.05 to its terminus at STA 17+26.65 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 302.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 37: To see if the Town will vote to accept Chopin Court from its beginning at STA 0+23.16 to its terminus at STA 2+55.26 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 227.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 38: To see if the Town will vote to accept Haydn Lane from its beginning at STA 0+23.13 to its terminus at STA 7+21.82 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 227.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 39: To see if the Town will vote to accept Bach Court from its beginning at STA 0+23.16 to its terminus at STA 5+16.52 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 152.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 40: To see if the Town will vote to accept Bach Court from its beginning at STA 5+16.52 to its terminus at STA 6+65.41 including any easements and utilities appurtenant thereto and to appropriate a sum of \$ 304.00 for recording documents at the Registry of Deeds, or take any other action relative thereto. (Petition of Board of Selectmen)

ARTICLE 41: To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town utility and roadway easements on the portion of Mylod Street shown as "permanent highway easement" on a plan entitled "Mylod Street Widening", dated

December 18, 2004, prepared by Guerriere and Halnon, Inc., on file with the Town Clerk from the Bird Estate Limited Partnership, or to take any other action relative thereto.
(Petition of the Board of Selectmen)

ARTICLE 42: To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town utility, roadway and sidewalk easements on the portion of Coney Street shown as “8.5’ Wide Easement Area=4649 S.F.” on a plan entitled “Easement Plan, Coney Street, Walpole, Massachusetts, dated December 11, 2007, prepared by Norwood Engineering company, Inc., on file with the Town Clerk, from Mountaingate Walpole, LLC, Spring Street Walpole, LLC and Union Street Walpole, LLC or take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 43: To see if the Town will vote to amend the Zoning bylaw as adopted by the March 10, 2008 Special Town meeting, Table 8.8.A.1. Minimum Parking Space and Travel Lane Dimensions, to read as follows:

Table 8.8.A.1 Parking Stall and Aisle Dimensions

<u>Parking Angle</u>	<u>Stall Width Parallel to Aisle</u>	<u>Stall Depth Perpendicular to Aisle</u>	<u>Aisle Width</u>
45°			
9.0' Stall	12.7'	17.5'	12.0'
9.5' Stall	13.4'	17.5'	11.0'
10.0' Stall	14.1'	17.5'	11.0'
60°			
9.0' Stall	10.4'	19.0'	16.0'
9.5' Stall	11.0'	19.0'	15.0'
10.0' Stall	11.6'	19.0'	15.0'
75°			
9.0' Stall	9.3'	19.5'	23.0'
9.5' Stall	9.8'	19.5'	22.0'
10.0' Stall	10.3'	19.5'	21.0'
90°			
9.0' Stall	9.0'	18.5'	26.0'
9.5' Stall	9.5'	18.5'	25.0'
10.0' Stall	10.0'	18.5'	24.0'

Handicapped Parking Spaces must conform to Massachusetts General Laws and Town of Walpole by-laws

Or to take any other action relative thereto. (Petition of the Planning Board)

ARTICLE 44 : To see if the Town will vote to rezone land identified as assessor’s parcel 35-135 shown on assessor’s map 35, from a Rural Resident Zoning District to a Residence B Zoning District and to amend the Town’s Zoning Map to accomplish this change, said land having an address of 156 Baker Street, being shown on a plan of land entitled “Rezoning Site Plan of Land in Walpole, MA” dated December 13, 2007 prepared by Merrikin Engineering, LLP, 2 Milliston Road, Suite 1C, Millis, MA 02054, a copy of which is appended hereto and incorporated herein by reference as Exhibit A, more particularly described as follows:

Beginning at a point, said point being the northwesterly corner of a parcel of land with an address of 156 Baker Street, said point being on the westerly sideline of Baker Street and 31.64 feet southeast of a bend in said Baker Street, thence;

Running S 18°36’30” W along the westerly sideline of Baker Street for a distance of 98.50 feet to a point, thence;

Turning and running S 46°02’36” E for a distance of 241.36 feet to a point, thence;

Turning and running S 45°40'09" E for a distance of 149.43 feet to a point, thence;
Turning and running S 45°30'23" E for a distance of 589.08 feet to a point, thence;
Turning and running N 50°18'47" E for a distance of 137.98 feet to a point, thence;
Turning and running N 45°16'58"W for a distance of 158.29 feet to a point, thence;
Turning and running N 44°43'02" E for a distance of 33.50 feet to a point, thence;
Turning and running N 45°16'58" W for a distance of 502.28 feet to a point thence;
Turning and running N 57°09'17" W for a distance of 170.71 feet to a point thence;
Turning and running N 59°42'35" W for a distance of 215.82 feet to the point of beginning. Or take any other action relative thereto. (Petition of Paul Thurston etal.)

ARTICLE 45 : To see if the Town will amend Zoning Bylaw, Section 3-J Age Qualified Village, subsection (3) Qualifications by adding Rural (R) District contiguous to the Highway Business (HB) District wherein an AQV may be located, or to take any action in relation thereto. (Petition of Paula Verderber etal.)

ARTICLE 46: To see if the Town will vote to transfer the care, custody, maintenance and control of the land described below, owned by the Town and currently under the care, custody, maintenance and control of the Board of Sewer and Water Commissioners for water department purposes, to the Board of Sewer and Water Commissioners for the joint purposes of leasing to a telecommunications company or companies for the location of a telecommunications facility or facilities and related equipment, and for water department purposes, and further to authorize the Board of Selectmen to enter into such a lease or leases for said purposes, for all or a portion of the land located at 41 Wagon Road and shown on Assessors Map 7 as Lot 18 being a portion of the land described in a deed to the Town recorded with the Norfolk Registry of Deeds at Book 2439, Page 310, upon such terms and conditions, and for a period of up to twenty years; and to grant such easements upon said land as are necessary for utility services in support of such use; as the Board of Selectmen shall determine to be appropriate; or take any other action relative thereto. (Petition of Board of Selectmen)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting.

Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk before the day set for said meeting.

Given under our hands and the seal of the Town this _____day of _____ in the year two thousand and eight.

BOARD OF SELECTMEN

By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the

purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.

Constable of Walpole

Date Posted